

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

JOHN L. PERRY,

Petitioner,

v.

CASE NO. 2:07-cv-779
CRIM. NO. 2:05-cr-245
JUDGE HOLSCHUH
MAGISTRATE JUDGE ABEL

UNITED STATES OF AMERICA,

Respondent.

OPINION AND ORDER

On January 5, 2008, the Magistrate Judge issued a *Report and Recommendation* recommending that the instant motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. §2255 be dismissed. Although the parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation*, and of the consequences of failing to do so, and although petitioner was granted an extension of time to file his objections, no objections have been filed.

The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

IT IS SO ORDERED.

Date: March 9, 2009

/s/ John D. Holschuh
JOHN D. HOLSCHUH
United States District Judge